(11) The balance of the lease amount shall be paid in full in three khists in advance, on the dates mentioned below, and sufficient security must be furnished for the payment of the same. Failing to remit any of the khists on the due date, the lessee shall forfeit the sum already credited and also his claims to the produce, and the balance will be recovered as a revenue demand:—

1st khist, 30th September 1907.
2nd khist, 31st March 1908.
3rd khist, 30th September 1908.

Further Conditions.

(i) To hold himself responsible to prevent the cutting of tender stems under two years by his servants or sub-contractors.

(ii) To furnish a list of sub-contractors and mestris who may be appointed by them for the collection of bark in the different working circles.

(iii) To work out the lease himself and not to transfer it to others without the previous sanction of the Deputy Commissioner.

(iv) The barked wood to be the property of the lessee.

(v) To keep accounts showing the quantity of the bark removed in accordance with the lease and to permit inspection of such accounts by the Deputy Commissioner or the District Forest Officer or any other officer deputed by them.

(vi) To provide passes for each cart-load of bark in such manner as may be laid down by the District Forest Officer.

(vii) To hold himself responsible for the occurrence of any fire in State Forests or Plantations, provided they are caused by him or by his men and to make good any loss which may accrue thereby to valuable forest or crops.

(viii) To remove out of the limit of the Chitaldrug District and before the 15th July 1907, all bark cut, collected or stored.

(ix) In the event of breach of any of the above conditions, the lease is liable to be cancelled, all the bark collected to be confiscated, and a fine up to the limit of Rs. 1,000 may be levied at the discretion of the Deputy Commissioner from the lessee.

M. CHENGIAH CHETTY,
Dy. Comr., Chitaldrug Dt.

EXCISE DEPARTMENT.

SALE OF TODDY SHOPS FOR 1907-08.

Notification No. 3962, *dated 3rd May* 1907.

1. It is hereby notified that the exclusive privilege of selling toddy in the several shops established for the purpose for one year, beginning with 1st July 1907 and ending with 30th June 1908, will be put up to public auction at upset prices by the respective Deputy Commissioners or by Revenue Assistant Commissioners or Divisional Officers of the Excise Department or other officers specially authorised by the Deputy Commissioners for the purpose, on the dates mentioned in the statement annexed, and at the respective Taluk or Sub-Taluk Kasabas, and, except as hereinafter provided, will be knocked down to the bidder offering the highest amount of rent above those prices. If the sales are not completed on the abovenamed days, they will be continued on the next following days (close holidays excepted). Should there be no bids for any shops singly, the officer conducting the sale shall be at liberty to group when necessary, in consultation with the Excise Divisional Officer, if present, the shops or if necessary, to reserve shops for which there may be no bids, for disposal hereafter, or to sell the said privilege in any particular case, by means of tenders or by private negotiation. The privilege in any Coffee Estate may be sold to the planter for a fixed amount not less than Rs. 12 per shop per annum. The shops in alienated villages shall be separately sold, and the amounts connected therewith shall be shown in the accounts under a distinct head. The sale in every case shall be subject to the conditions hereinafter set forth, and shall, *unless revised by the Government*, take effect on formal confirmation by the Deputy Commissioner, who shall be at liberty to accept or reject any bid at his discretion without assigning reason for the same. Such formal confirmation will be necessary whether the sale be held by the Deputy Commissioner himself or by any other officer appointed by him. Should there be no bid above the upset price, the officer conducting the sale may lower the upset price at his discretion. The officer conducting the sale may, at his discretion and without assigning any reason, refuse to accept the bid of any person on the ground that he has been convicted by a criminal court of such an offence, or has been guilty of such an infringement of the terms of his license or of a contract under the Excise Regulation or Opium Act as to render him undesirable as a holder of a license, or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests, or for any other valid reason.

2. (*a*) Parties intending to bid must attend either in person or by duly authorized agents and no person shall be permitted to bid either on his own behalf or on account of any one else until he has made a deposit of Rs. 25 for shops in the Kolar Gold Fields and the Cities of Bangalore and Mysore and Rs. 10 for shops in other places, or such other reasonable amount as may be fixed by the officer conducting the sale, provided that the Government may at any time dispense with such initial deposit. Such deposit will, if offered, be received within three days previous to the date of sale. Deposits made by unsuccessful bidders will be returned at the close of the sale.

(*b*) No shops or group of shops shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

3. (*a*) The successful bidder shall, on the exclusive privilege being knocked down to him, at once, if so required by the selling officer, or otherwise at the close of the day's sale, further deposit a sum equal to one-twenty-fourth part of his bid for the year, that is to say, one-half of the monthly rent unless the initial deposit equals or exceeds two months' rent. Should he fail to do so, the deposit, if any, made by him under clause 2 (*a*) will be forfeited, and the privilege will be sold again on the above conditions, or otherwise disposed of at his risk, as the Deputy Commissioner or selling officer may determine.

(*b*) The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within seven days after the service of the said notice by its presentation to himself or to any adult male member of his family at the place of said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned, such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses, as hereinafter set forth.

4. (*a*) The deposit made under the preceding para shall be either in cash or in Government of India Securities duly endorsed in favor of the Deputy Commissioner. Provided that in cases where the monthly rent exceeds Rs. 10, in lieu of a deposit of two months' rent as above, the Deputy Commissioner may, in his discretion, allow any purchaser to deposit one month's rent as above and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken, and no personal security shall be accepted. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

(*b*) Should the initial deposit exceed the sum required to be deposited under clause 3 (*b*) or clause 4 (*a*), the excess will be refunded to the purchaser.

5. The purchaser of the exclusive privilege shall execute an agreement binding himself and, unless exempted by the Deputy Commissioner by an order duly recorded, so much of his movable and immovable property as may be deemed sufficient, to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety, if any has been accepted under the above para, shall also execute a bond in the prescribed form binding himself and so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, for the due fulfilment by the purchaser of the terms of his agreement. The agreement and bond so executed shall be stamped at the expense of the purchaser. They shall also be registered at his expense when the amount secured is Rs. 100 and above.

6. If default is made in making the deposit or deposits or in executing the agreement or the security bond, if any, and in taking out licenses as aforesaid, the exclusive privilege shall be forthwith re-sold or otherwise disposed of by the Deputy Commissioner at the risk of the first purchaser, who shall forfeit to the Government any deposit or deposits already made by him, and shall further be liable to make good any loss caused by such re-sale or other disposal. He shall not be entitled to any gain accruing from the re-sale or other disposal, and he shall be debarred from bidding again for the same or for any other shop or group of shops. In the case of loss, the forfeited deposits will be deducted from it and the remainder, if any, shall be recovered as if it were an arrear of land revenue. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

7. As soon as the agreements and bonds have been executed, the Deputy Commissioner will issue a license in the prescribed form, assigning to the purchaser the exclusive privilege referred to therein, subject to the following conditions; but nothing herein contained shall exempt the purchaser of the privilege from liability to the penalities prescribed for breaches of the conditions set forth below, though a formal license may not have been issued to him :—

(1) The exclusive privilege conferred by the license extends to the sale of Date, Palmyra, Cocoanut, Bagani and Dadasal toddy. But in tracts where both Date and Bagani toddy shops exist, the licensee of the Date toddy shop shall not

tap Bagani trees and the licensee of the Bagani toddy shop shall not tap Date trees; but both licensees can tap any of the other palm trees named above.

(2) The Deputy Commissioner shall be at liberty to issue license for the sale of foreign liquors, for the manufacture and sale of country beer, and for the manufacture and sale of arrack and other country spirits.

(3) The amount of rent shall be payable into the local Government Treasuries on printed chellans furnished for the purpose by Government, in equal monthly instalments commencing from 1st July 1907. No amount shall be paid to or received by the Excise officers. In the malnad and semi-malnad taluks, the Deputy Commissioner may permit patels of villages who are not themselves licensees to receive payments not exceeding Rs. 50 from any individual at a time. But if the amount of annual rent for any shop does not exceed Rs. 12, the whole of it shall be paid quarterly in not more than three equal instalments. Each instalment shall be regarded as the rent for the month or quarter in respect of which it is payable. Each month's or quarter's rent shall be payable on or before the 20th of the same month or before end of the quarter. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, by record in writing, suspend or cancel the license, order the forfeiture of all deposits made by the defaulter and proceed to re-sell or otherwise dispose of the shop or group of shops at the defaulter's risk, as soon after the last day of the month or quarter as may be possible, with effect from date of issue of license to the new purchaser, or from the date of other disposal. Provided, however, that instead of re-selling the same as above, the Deputy Commissioner may, in his discretion, direct the Amildar to issue licenses to sub-vendors or vendors under the defaulting licensee for rents, the aggregate of which is not less than the rent the defaulting licensee had agreed to pay. The officer who has power to suspend the license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

NOTE.—The licensee of a Jatra shop shall pay the rent thereof in full before the Jatra begins.

(4) For the supply of toddy to his shops the licensee shall have the privilege of obtaining, subject to tree-tax rules, toddy-yielding trees in the groves assigned to his shops or groups of shops, and he shall be at liberty to manufacture toddy from the trees in private lands, under private arrangements between himself and the owners of such lands. He may purchase toddy from any licensed toddy shopkeeper on application to the Inspector, who will grant the required permits on proof of the necessity for the same. No toddy except the produce of trees marked by a proper officer and tapped under a license shall be kept in the shop or offered for sale or sold.

(5) For all toddy-yielding trees, tree-tapping licenses shall be annual. For the convenience of the licensee, the applications for tree-tapping licenses will be received, trees will be marked, and licenses will be issued during the fifteen days and pots may be attached to such marked trees during the eight days, immediately preceding the period to which they relate to take effect from the commencement of such period. Provided that no toddy shall be removed from the trees except during the currency of such license.

(6) (*a*) Persons applying for the issue of tree-tapping licenses will be responsible to Government for all sums payable as tree-tax on account of the trees licensed therein to be tapped and also for tree-rent in the case of trees on Government unoccupied lands.

(*b*) On receipt of an application, the Inspector will at once take steps for the marking of the tree by an officer superior in rank to a Sub-Inspector, and for the timely issue of the license. Applicants for date trees shall get the requisite spaces on their stems prepared and point out to the marking officer, when required by the latter to do so, the trees applied for by them. Should they fail to do so, after reasonable notice, the tree-tax and tree-rent paid by them shall be liable to be forfeited at the Deputy Commissioner's discretion.

(7) No tree shall be tapped, nor shall toddy be drawn from any toddy tree, nor shall any pot be attached to any toddy tree until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of the spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury concerned.

(8) (1) No tree shall be tapped for toddy without a license therefor to be obtained by payment of tree-tax at the following rates:—

Description of trees.	Rates of tree-tax per tree per annum. Rs. a. p.
Date	... 1 4 0
Cocoanut	... 2 2 0
Palmyra	... 1 9 6
Bagani or sago	... 2 0 0
Dadasal (Arenga wightii)	... 0 8 6

NOTE.—The licenses will be free of tax to the Mysore Government in the cases specified in clause 15 (1) (*b*) below.

(2) In addition to the above tax, tree-rent at Re 0-4-3 per tree per annum shall be paid for all Government trees applied for being tapped for the supply of toddy shops whether within or outside the Mysore Territories or in the Civil and Military Station, Bangalore.

NOTE.—No trees upon Government occupied land can be tapped without the consent of the owner. The present arrangement as regards trees on alienated land will hold good, subject, of course, to the levy by Government of tree-tax.

(9) The tree-tax shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct :—

Period within which license is applied for	Proportion of tree-tax to be paid at the time of application for license	Proportion of tree-tax to be paid on the first of the 3rd month
Between 1st July 1907 and 30th April 1908.	One-third	The remaining two-thirds.
Between 1st May 1908 and 30th June 1908.	The whole	.....

(10) (*a*) The tree-rent for trees applied for shall be payable in full at the time of application for tapping license.

(*b*) If any instalments are not paid within the time, the license shall be liable to be cancelled or suspended under Section 26 of the Excise Regulation.

(*c*) When the licensee makes default and his shop is re-sold, his rights to and claim on Government trees cease and determine.

(*d*) In case of default, the Amildar with the Deputy Commissioner's permission, will order the suspension of the tapping license till the arrears are paid up ; and if, after receiving notice of such suspension, the defaulter continue to tap the trees, he will be prosecuted for illicit tapping.

(11) The deposit made by the licensee will be taken as security for the due performance of the conditions of the license, and if not forfeited or credited or otherwise disposed of, shall be taken in payment of the instalment due in the last months or month of the period of the license. All arrears and deficits payable by the licensee shall, with interest at 6 per cent per annum, be recoverable from him or his surety under the rules in force for the recovery of land revenue. Interest shall be calculated on all arrears from the date of default and on deficits from the date of re-sale or disposal otherwise. No remission or abatement of the rent or compensation shall, on any account whatever, be claimable by the licensee, nor will he be entitled to any compensation for any trees withdrawn or taken for the public purpose.

(12) If the Deputy Commissioner does not confirm the re-sale, he may make such other arrangements as may appear advisable for the remainder of the period of the lease, in which case he shall serve a notice on the defaulting licensee, informing him of the nature of the arrangements made.

(13) If the licensee of a group of shops wishes to establish a depot for depositing toddy required for distribution to his shops, he shall obtain a license for it in the prescribed form. The passes issued with the toddy transported, shall be subject to examination and check by the officers authorized in this behalf.

(14) The tree-tax on toddy produced by trees in the Madras Presidency but consumed in the Mysore State, will be credited to the Mysore Government. The rate of tree-tax to be paid in such cases will invariably be the highest in force on either side of the frontier. Tree-tax on trees in the Madras Presidency for which tapping licenses are about to be taken out by Mysore shop-keepers, must be paid in one instalment to the Amildar of the taluk concerned in the Mysore State, who will grant a receipt in the prescribed chellan form and certify at the foot that the applicant is a person entitled to take out tree-tapping licenses. The applicant will then make his application to British authorities in accordance with the Madras Government Tree-tapping Rules, and will obtain a transport permit from the Inspector concerned in the Mysore State for the transport of the toddy drawn from the frontier to the shop or depot for which it is intended, after having complied with all requirements of the Madras Government Rules.

(15) (1) Tree-tapping licenses in the prescribed form shall be issued on the application :—

(*a*) of licensed toddy shop-keepers or of their duly authorized agents,

(*b*) of tree-owners in coffee estates, hittals and kans in the malnad free of the prescribed tree-tax for drawing toddy for *bona fide* domestic purposes as per Government Order No. 11897-906—Excise 485, dated 20th June 1898, for such number of trees as may be found necessary by the Excise Commissioner.

(2) The licenses may be issued in the name of the applicant himself or of his nominees.

(16) Applications for the grant of tree-tapping licenses must be made in the prescribed form to the Excise Inspector of the Range concerned through the local Treasury. Forms may be obtained from him or the Assistant Inspectors under him.

(17) Applications for tree-tapping licenses, for trees in occupied or alienated lands should be countersigned by the owner of the trees intended to be marked, in token of his consent. Applications for tree-tapping licenses for trees in State Forests and plantations should be countersigned by the Forest Range Officer in token of his consent.

(18) Deputy Commissioners may, subject to the orders of the Excise Commissioner from time to time, prescribe the minimum number of trees for which license will be granted, and the minimum number to be entered in a single application. They may also direct that the trees situated in one village only shall be included in an application.

(19) Every person to whom a tapping license is granted for the manufacture of toddy shall observe the following rules in tapping date trees :—

(*a*) Date trees shall be tapped only by professional men.

(*b*) Trees tapped one year shall not ordinarily be tapped the next year.

(*c*) Trees shall not be over-tapped or over-worked.

(*d*) In no date trees shall the initial incision be made at any point less than three feet from the ground except in places where permission is specially given by the Excise Commissioner.

(*e*) The depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(*f*) Every fresh incision shall not be less than one foot above the last incision except in localities where permission is specially given.

(*g*) The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

(*h*) The licensee shall not cut or injure or permit to be cut or injured the trees licensed to him or any other trees.

(*i*) The licensee or his employer will be liable to pay a fine of one rupee for each tree in excess of three per cent of the number of trees marked for him, which may die from over-tapping or careless tapping either during the lease or within six months after its expiration.

(20) The licensee shall not interfere with the persons holding license for cutting date leaves for mat-making, rope-making, basket-making, or for agricultural or other purposes, when they make use of the trees assigned for such purposes, and not reserved for tapping.

(21) The licensee of the depot or shop or group of shops will be required to keep true account of the receipts and issues of toddy, from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained from the local Excise Officer on payment of cost price. Permits for toddy received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise officer immediately after the close of the lease. They shall be produced when asked for by the Deputy Commissioner or any officer appointed by him or by an Excise officer not below the rank of an Excise Assistant Inspector. Such returns and information as may be required by the Deputy Commissioner or Excise officer not below the rank of an Excise Assistant Inspector shall be furnished by holders of licenses without delay.

(22) The sales must be conducted in a suitable building which shall have only one door, and no windows or other opening shall be allowed to the rear or at the ends of the building. The bar at which toddy is sold shall be opposite the entrance door and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be used for the sale of toddy, or be kept open for customers.

(23) Toddy shall not be sold except in shops duly licensed by the Deputy Commissioner in the prescribed form, and no new shops shall be opened without the previous sanction of the Excise Commissioner. Tree-foot sales or sales in the open, or the disposal of toddy in any other manner unauthorized by the rules, are strictly prohibited. Provided, however, that in Bagani tracts, the licensee who has purchased the right of vend of Bagani toddy, may permit the tapping of Bagani trees for domestic consumption as well as for sale, within the limits of the village purchased by him.

(24) The Deputy Commissioner may, whenever he thinks fit, direct shops to be closed or permit transfers of shops from one place to another within two hundred yards of the sanctioned site. A sufficient supply of toddy shall be maintained in all sanctioned shops, the quantity being such as may be fixed by the Excise Divisional Officer.

(25) The licensee shall place the license granted to him in a conspicuous place in the shops.

(26) The right is reserved to the Deputy Commissioner to grant occasional licenses for the sale of toddy on the occurrence of fairs, festivals, etc., in places in the vicinity of which, there are no regularly licensed shops. Such licenses shall ordinarily be granted to shop-keepers, who usually supply the locality. Their period shall not exceed fifteen days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

(27) A signboard shall be affixed in a conspicuous part of the front of each shop containing, in the local vernacular, the name of the shop-keeper, number of his license and the rate at which toddy is sold by him. The sale or transport of toddy by persons suffering from leprosy or any contagious disease and the employment of such persons in the shop, are prohibited.

(28) The licensee shall prevent all drunkenness or disorder or gaming within his shops.

(29) No shop shall be opened before sunrise or kept open after 9-30 P.M., in the City of Bangalore except under special authority. The shops shall be kept open during the authorized hours, unless its temporary or permanent closure is authorized by the Deputy Commissioner.

(30) The licensee shall not harbour robbers or thieves or disorderly or riotous persons or prostitutes or soldiers or others known or believed to be deserters. No persons shall be harboured in any shop during the night, but on the contrary, the licensee shall give intimation to the nearest Magistrate or Police Officer as to any such persons who may resort to his shops.

(31) The licensee shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy, but on the offer of any such, shall give information to the nearest Magistrate or Police Officer.

(32) The licensee, vendor, or vendors shall not sell to any person more than three measuring seers of toddy to be consumed by the person at one time in the shop. He shall not allow any one to take out of his shop without a pass more than two seers or imperial quarts with the exception of bakers who are permitted to purchase and remove the quantity of toddy specified in the pass held by them. Toddy can be removed upon passes for consumption up to the limit of one imperial gallon or four seers.

(33) The distillation of spirit from toddy is absolutely prohibited.

(34) Toddy shall be sold pure as drawn from trees, and shall not be adulterated or diluted in any manner in the shops, or depôts if any. No ingredient noxious to health shall be put into the toddy either to increase its intoxicating power or for any other purpose. All officers authorized to inspect shops and depôts are authorized to detain any liquor found unfit for consumption or use and Excise Commissioner, all Deputy Commissioners and Deputy Excise Commissioner and Excise Assistant Commissioners are empowered to destroy such liquor.

(35) Toddy shall not be sold to the public at less than the retail rates fixed by Government as per schedule attached.

(36) The licensee shall possess or use on any licensed premises only such standard measures of capacity as may, from time to time, be prescribed by the Excise Commissioner. The officers authorised to inspect licensed shops, are empowered to enter and examine the premises to test measures in use and the toddy under sale and to call for and check accounts in the shop.

(37) The licensee shall have such measures tested and stamped at his own expense.

(38) No toddy shall be sold or given to any European non-commissioned officer, private soldier, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the permission, in writing, of the Commanding Officer, or of some person duly authorized by him in this behalf; nor to any European or Eurasian sailor, nor to any sepoy, member of the Police force, Excise officer, or any servant of a Railway Company whilst on duty; nor to any European vagrant under escort of the Police; nor to any child under fourteen years of age, nor to any insane person for consumption on the premises; nor shall any toddy be sold *on credit*.

(39) The Deputy Commissioner or Assistant Commissioner in charge of the taluk may direct that all shops for the sale of toddy on, or adjacent to, the line of march shall be closed whilst a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity. Such soldiers may be supplied with toddy by such persons as the Government may select for the purpose, notwithstanding the licensee's exclusive privilege.

(40) The Government reserves the power to terminate the lease on public grounds, on giving the licensee fifteen days' notice and awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to country beer or other description of liquor than toddy.

(41) The license shall not be transferable by sale, gift or otherwise or be subrented except with the permission of the Excise Commissioner. Applications for the resignation of shops in whole or in part will be summarily rejected by the Deputy Commissioner.

(42) No person shall be appointed by the licensee for the management of any such privilege without the Deputy Commissioner's previous approval.

(43) All engagements entered into by agent, shall be deposited with the Deputy Commissioner within one month from the date of execution.

(44) If it comes to the licensee's knowledge that any person employed by him in the manufacture, carriage or sale of toddy commits any breach of the Excise Law or of the engagements entered into by him, it shall be the licensee's duty to report the matter to the Deputy Commissioner, and to comply with the directions of the Deputy Commissioner respecting the further employment of such person.

(45) The licensee of shop or group of shops shall not, during the term of the license, have any interest in the exclusive privilege of vending arrack within five miles from it nor permit any person having interest in the exclusive privilege of vending arrack within the said area of five miles to hold any share or interest in his exclusive privilege of selling toddy; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any toddy shop or farm outside the territories of Mysore, or in the Civil and Military Station of Bangalore.

(46) The licensee shall provide himself with printed forms of permits for transport and possession of toddy. Such permits shall be in the form prescribed by the Excise Commissioner, and shall be purchased from local Excise officers. He shall have no other pecuniary dealings with any Excise officer.

(47) The licensee shall pay the usual mohatarfa tax on carts used for conveying toddy but such carts shall not be impressed for Government work.

(48) In case of any breach of the aforesaid Rules or of the conditions of the license either by the licensee or with his connivance or privity by any person in his employment, or in case of the licensee neglecting to open his shops on 1st July 1907, or to carrry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding the sum of Rs. 50 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license, and to re-sell the exclusive privilege or otherwise dispose of it at the risk of the licensee, or to place it under the management of Government. When a license is cancelled, the rent for the whole period of the license shall become due at once; and all loss caused to Government by the cancelment of the license or by the re-sale or other disposal of the privilege shall be made good by the licensee, or his surety in the manner specified in condition 53. All sums due shall be recovered in the same manner as if they were arrears of land revenue.

(49) An inspection note-book with the pages numbered consecutively for inspecting officers to enter their remarks, shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(50) The imposition of a fine, or the forfeiture of a deposit, or the cancellation of the license under the last preceding condition, shall not be held to prevent the prosecution of the licensee or his agents or employees for any offence punishable under the law for the time being in force.

NOTE.—For continuing breaches of a license, continuing fines may be imposed.

(51) No person who has been convicted of any heinous offence under the Indian Penal Code shall be employed in the carriage or sale of liquor without the Deputy Commissioner's previous permission.

(52) If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation or Opium Act or other law for the time being in force, which in the Deputy Commissioner's opinion, renders him unfit to hold the license, it shall be lawful for the Deputy Commissioner to declare his license forfeited or sell or otherwise dispose of the privilege at the risk of the licensee.

(53) All sums payable by the licensee may be deducted from the amount of his deposit, or recovered by attachment and sale of the property of the licensee or his surety under any law for the time being in force for the recovery of arrears of land revenue.

(54) The licensee shall be bound by the provisions of the Excise Laws and Rules thereunder for the time being in force and by the terms and conditions of the license. The licensee shall, on requisition by the Deputy Commissioner or other officer duly authorized by him, deliver up his license for amendment or for the issue of a fresh license accordingly.

(55) In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tap-men to enable Excise Officers to examine incisions or spathes, as the case may be, or to measure the incisions.

DATES OF SALE.

District	Taluk	Date
Bangalore		May 1907
	Bangalore	20
	Devanhalli	23
	Dodballapur	25
	Nelamangala	27
	Magadi	29
	Channapatna	31
	Kankanhalli	June 1907 4
	Anekal	7
	Hoskote	10
Kolar		May 1907
	Chikballapur	14
	Sidlaghatta	16
	Chintamani	18
	Srinivaspur	21
	Mulbagal	23
	Kolar	25
	Kolar Gold Fields and Bowringpet* ...	27
	Malur	31
	Goribidnur	June 1907 4
	Bagepalli	7
Tumkur		May 1907
	Kunigal	17
	Tumkur	20
	Gubbi	22
	Tiptur	25
	Chiknayakanhalli	28
	Sira	31
	Maddagiri	June 1907 4
	Pavagada	8
Mysore		May 1907
	Mysore	13
	Seringapatam	16
	Malvalli	18
	Mandya	20
	Nagamangala	22
	Krishnarajpete	25
	Yedatore	28
	Hunsur	30
	Heggaddevankote	June 1907 1
	Gundlupet	4

District	Taluk	Date
Mysore—concld.		June 1907
	Chamrajnagar	6
	Yelandur	8
	T.-Narsipur	10
	Nanjangud	12
Hassan		May 1907
	Manjarabad	25
	Belur	28
	Hassan	31
	Arkalgud	June 1907 4
	Hole-Narsipur	6
	Channarayapatna	8
	Arsikere	10
Kadur		May 1907
	Mudgere	30
	Chikmagalur	June 1907 1
	Kadur	4
	Tarikere	6
	Yedahalli †	8
	Koppa	10
Shimoga		May 1907
	Shimoga	15
	Tirthahalli	18
	Nagar	22
	Sagar	25
	Sorab	28
	Shikarpur	31
	Honnali	June 1907 4
	Channagiri	7
Chitaldrug		May 1907
	Hosdurga	20
	Holalkere	22
	Davangere	25
	Jagalur	28
	Molakalmuru	31
	Chalfakere	June 1907 4
	Hiriyur	7
	Chitaldrug	10

* Gold Fields Magistrate's Court.
† Deputy Amildar's office.

SALE OF COUNTRY BEER TAVERNS IN THE BANGALORE CITY AND IN THE BOWRINGPET TALUK FOR 1907-08.

Notice No. 4007, *dated 7th May* 1907.

1. Notice is hereby given that the exclusive privilege of selling Country Beer or Porter in each of the taverns established in Bangalore and Kolar Gold Fields for the twelve months beginning with 1st July 1907 and ending with 30th June 1908, will be sold by public auction on the dates and at the places mentioned below by the Deputy Commissioner of the District concerned or other officer authorized by him.

2. The exclusive privilege will be put up to auction at the upset price fixed at Rs. 35 per Hogshead of Beer or Porter which will be sold in the taverns at Bowringpet and the Kolar Gold Fields and at Rs. 20 per Hogshead in the City of Bangalore.

3. The manufactures of Beer may bid for or purchase the taverns.

4. Each bidder at the auction shall deposit a sum of Rs. 250 for shops in Bowringpet Taluk and Rs. 100 for those in Bangalore or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. Each tavern will be knocked down to the approved highest bidder, subject to the formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject the bid at discretion, without assigning reasons for the same. Such formal confirmation will, unless revised by Government, be tantamount to an acceptance of the bid. Parties intending to bid must attend either in person or by duly accredited agents.

5. As soon as the auction is completed, the deposits made by the unsuccessful bidders, will be returned to them.

6. The person to whom the tavern has been knocked down, shall be required to leave his address with the sale-conducting officer in order that the confirmation of the sale may be communicated to that address, and within seven days after service of the said notice by its presentation to the purchaser or any adult male member of the family at the place of the said address or by its being affixed thereto or by its forwardal duly registered by post, deposit such further sum as, with the first deposit, will make up a total security of Rs. 500 for each tavern knocked down to him or such other reasonable amount as may be fixed by the Deputy Commissioner according to the value of each tavern; and shall take out licenses and execute counterpart-engagements, on the conditions hereinafter set forth. On the failure of any person to make the deposit or to take out license or to execute the counterpart-engagement, as aforesaid, the tavern will be re-sold at the risk of such person, or will be otherwise disposed of at the discretion of the Deputy Commissioner. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

7. Re-sales effected under para 6 *supra*, will be at the risk of the defaulting bidder, who shall forfeit all gain; and in the event of a loss by re-sale or other disposal he shall make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale or by disposal otherwise. In the latter case, the forfeited deposit shall be deducted from the loss arising from the re-sale or other disposal, and the remainder, if any, shall be recovered from the bidder in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale or other disposal, the whole of such deposit shall be credited to Government.

8. The license to be taken out under para 6 above, shall be subject to the following conditions, namely :—

(1) The privilege conferred by the license extends to the sale of Country Beer or Porter brewed on the Nilgiris in Breweries which may be approved of by the Government or by Messrs. Meakin & Co., Kirkee, or by Messrs. Abraham and Gangadhara Chetty & Co., Bangalore, or in any other Brewery approved by Government.

(2) Each tavern shall be maintained in or close to the existing tavern as described in the schedule separately issued.

(3) The amount payable for each month on account of the number of hogsheads of Beer or Porter sold, shall be paid into the Taluk Treasury in the first week of the following month, on the challan prescribed for the purpose. The security deposit shall be taken towards the amount due for the last two months of the period of the lease. Failing payment as above, the Deputy Commissioner shall at once proceed to recover the arrears together with interest at 6 per cent, under the rules in force for the collection of land revenue. No remission or abatement of the Government dues shall, on any account whatever, be claimable by the licensee.

(4) The licensee shall further pay a duty of two annas for every gallon of Country Beer or Porter purchased by him, together with local cess at one anna per rupee.

(5) The consignment of Country Beer or Porter purchased by the licensee, shall be sent direct from the Brewery to the Amildar of the Taluk. The letter of advice covering the consignment shall be in duplicate, the original being sent to the Amildar of the Taluk, and the duplicate to the Excise Commissioner. On the duty together with local cess at the above mentioned rate being paid by the licensee on the prescribed challan, the Amildar shall allow the licensee to remove the consignment to his tavern upon a pass signed by the Amildar or other Officer authorized on this behalf.

(6) The licensee of every tavern at the Bangalore City shall pay a registration fee under the Municipal Regulation, at the rate of Rs. 180 per annum in advance for the period of the license for his tavern.

(7) The licensee shall use such measures as may from time to time be prescribed by Government, and provide himself with the printed forms of accounts and permits or passes for transport of Beer or Porter, which forms shall be purchased from local Excise Officers.

(8) The licensee shall be bound to take over any Beer or Porter which may remain as stock in hand belonging to the out-going licensee on the 1st July 1907, in the existing tavern, paying to the latter such compensation for the same as may be fixed by the Excise Commissioner.

(9) This lease shall not be transferable by sale, gift, mortgage or otherwise without the previous sanction of the Excise Commissioner.

(10) The Vendor shall equally with the license-holder be responsible in the penalties herein set forth for breach of any of the conditions of the license.

(11) He shall sell Beer or Porter of approved quality. It may be sold to be drunk on the premises up to one reputed quart bottle at a time. It may be sold to be removed off the premises upon the prescribed special passes up to one Imperial gallon.

(12) He shall not sell or give Beer or Porter in any quantity whatever directly or indirectly to any European or Non-commissioned Officer or Private or soldier, nor to any European or East Indian woman connected with or related to, men of these classes, nor allow him, her, or them, to drink Beer or Porter in his premises or grounds; he shall not permit drunkenness or disorderly behaviour in his shop or premises, and shall not suffer any gambling whatsoever therein, and shall not knowingly permit prostitutes or persons of notoriously bad character to meet or remain therein; he shall not wilfully harbour or conceal therein soldiers or others knowing or having reason to believe such soldiers or others to be deserters; he shall give information of suspicious characters to the Magistrate or Police Officer; and he shall not sell or give Beer or Porter to any Police Officer, Railway Servant, or Excise Officer, whilst on duty or to insane person.

(13) He shall fix in a conspicuous place outside of his shop a board on which shall be legibly painted his name, Vendor's name, the number of his shop, and the article he is licensed to deal in.

(14) He shall not receive any articles whatsoever in barter or pledge, and payment for Beer or Porter shall be made in ready money only at one and a-half rupee per imperial gallon and proportionately for fractions thereof.

(15) The Beer or Porter sold under this license shall be brewed from good materials and its quality shall be such as to satisfy the Excise Commissioner, and shall be of the same quality and density as purchased from the Brewer, without dilution or adulteration. Wort shall not exceed 1073°. The Beer or Porter sold shall not contain more than 8 per cent alcohol by volume. The licensee will be bound to pay Duty, together with local cess, at the prescribed rate per gallon of proof spirit on all alcohol in the Beer or Porter in excess of 8 per cent by volume, besides being liable for prosecution. Samples of such Beer or Porter shall be sent duly bottled from the brewery or tavern for examination and test whenever required by the Excise Department.

(16) Any Magistrate having local jurisdiction, or any Officer acting under his warrant, or any Abkari or Excise Officer shall be allowed entry to the shop at any hour to test the Beer or Porter on the premises, and examine the shop accounts, which it shall be the duty of the License-holder and Vendor to keep and produce. Such accounts shall be true and correct, and written up daily in the prescribed forms. All condemned Beer shall be destroyed.

(17) He shall close his shop by 9 P.M., and not open it before sunrise except on special permit in cases of Native festivals, etc.

(18) Beer brought for the Commissariat Department and rejected by the Military or other Departments, shall not, under any circumstances, be forwarded for sale in the tavern.

(19) The shop shall have only one door, and no window be allowed to the rear or ends of the building; the bar where the liquor is sold from, shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be allowed to be kept open for customers.

(20) The licensee shall be bound by the rules in force, and which may be issued from time to time by Government.

9. In the case of any breach of the above conditions either by the licensee, or with his connivance and privity by any person in his employment, or in the event of the licensee neglecting to open his tavern or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 10 for every such breach or neglect, or at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and to re-sell the privilege or to otherwise dispose of it at the risk of the licensee; and all loss thereby caused, together with the loss accruing to Government in consequence of the licensee not carrying on his business by opening his tavern on 1st July 1907, shall be made good by him. When a license is cancelled, the vend, fee for the remaining period of the lease calculated on the average consumption of the previous three years advertised in the Schedule shall be payable at once and in default of payment shall be recovered with all losses as if they were arrears of land revenue.

10. The penalties laid down in the last preceding clause shall not exempt the licensee or his employees from prosecution for any offence committed against the Excise Laws in force.

Dates of Sale.

Bangalore City shops--at Bangalore Taluk office, on 20th May 1907.

Bowringpet and Kolar Gold Fields shops—at Kolar Gold Fields Magistrate's Court, on 27th May 1907.

Notification No. A dated 8th May 1907

Tenders are hereby invited for the exclusive privilege of cultivating Ganja hemp (*Canabis Sativa* or *Indica*), and manufacturing and supplying Ganja to the Government of Mysore, for a period of three years from 1st July 1907.

2. The privilege for which tenders are now invited will be conceded subject to the conditions hereinafter provided, and to the Excise Laws and Rules now in force and to those which may be issued from time to time.

3. The quantity of Ganja required is estimated to be between 1,000 and 1,200 Mysore maunds, (or 12,300 and 14,400 seers of 80 tolas) per annum. Each tender should not be for more than 200 maunds (2,400 seers) or for less than 100 maunds (1,200 seers) and no tender for the supply of less than 100 maunds or of 1,200 seers of 80 tolas each of Ganja will be considered, and out of the tenders received as many will be selected as will make up the maximum quantity required.

4. The Ganja supplied should be free as far as possible from stalk and seeds and of a quality fit to be issued for consumption. All Ganja not approved by the Excise Commissioner or other officer deputed by him to take delivery of the article, as fit for consumption, will be destroyed. The whole quantity of prepared Ganja which may be approved by the Excise Commissioner or the officer deputed by him as above, will be delivered up to Government at such prices varying between 9 and 12 Rs. per maund of 12 seers (960 tolas) according to quality as may be determined by the Excise Commissioner. Ganja which is of inferior quality and falls below the minimum standard though fit for consumption may either be purchased by the Excise Commissioner at lower rates at his discretion or destroyed if the contractor does not accept the rates so offered. The cultivation of Ganja will be confined to the marginally noted taluks, and tenderers must specify the particular taluks where they offer to have the Ganja cultivated. Cultivation should be started by the successful tenderers only after duly obtaining license for the purpose according to the Rules which will be issued upon applications specifying the localities, *i.e.*, villages and survey numbers of the fields where the cultivation is proposed to be carried on. As far as possible contiguous plots should be selected or those near one another and the total area selected should be sufficient to produce at least 100 maunds.

Bangalore and Nelamangala Taluks of Bangalore District.
Kunigal and Tumkur Taluks of Tumkur District.
Mysore and Seringapatam Taluks of Mysore District.
Holalkere and Davangere Taluks of Chitaldrug District.

5. Each tender must be accompanied by a deposit of Rs. 50 in cash or currency notes, and enclosed in a sealed cover superscribed with the words "tender for the exclusive privilege of cultivating Ganja hemp and manufacturing and supplying Ganja," and must be sent to the Excise Commissioner at Bangalore so as to reach him before noon on Wednesday the 12th June 1907, after which date no tender will be received. The tenders will be opened by the Excise Commissioner at his office in Bangalore at 12 o'clock noon on that day in the presence of such of the tenderers as may be present. The final disposal of the tenders will rest with the Excise Commissioner, who reserves to himself full power to reject any or all of the tenders

without assigning any reason. The deposits of those whose tenders are rejected will be returned to them on application.

6. The person or persons whose tender may be finally accepted by the Excise Commissioner, shall, within eight days of the acceptance of their tender being communicated to them, deposit at the Bangalore District Treasury, a further sum in cash, or in Government Securities duly endorsed in favor of the "The Dewan of Mysore," to make up with the deposit previously made, the sum of (five hundred) 500 Rupees for the supply of 200 Mysore maunds of Ganja or proportionately for lesser quantities, and shall execute an agreement on proper stamp paper, binding themselves to conform to the conditions hereinafter set forth; and if they fail or refuse to sign the agreement, or to make the deposit required, the deposit already made will be forfeited to Government and the contract otherwise disposed of.

7. The contract for which tenders are now invited, shall be subject to the following conditions :—

(1) The contractor shall afford free access and facility to any Excise or Police officer or Revenue officer to enter his fields on which Ganja hemp is cultivated, or his Ganja curing or manufacturing yards, in order to supervise the cultivation of the Ganja hemp and the manufacture of Ganja therefrom, or for any other purpose connected therewith.

(2) The contractor shall not sell or transfer the standing crop or its produce to any person other than Government.

(3) The contractor shall apply to the District Excise officer concerned not less than a fortnight before he commences to harvest his crop for permission to do so and shall, during the harvesting of the crop and preparation of Ganja therefrom, work under the general supervision of, and obey the instructions issued by, the District Excise officer and the subordinates deputed by him on that behalf.

(4) The contractor shall remove the crop to, and prepare Ganja therefrom in such places only as shall be approved in writing by the Chief Excise Officer appointed to supervise the crop. The transport of the crop shall be covered by a permit which will be granted on the contractor's application by such officer. All plants uprooted in the process of cultivation or of harvesting, and not used for the preparation of Ganja as well as the plants pronounced by competent officers unfit for such preparation, shall be destroyed under the supervision of the said officer.

(5) The crop shall, as soon as it is harvested, be cured with the least possible delay, under the supervision of the Excise officer appointed for the purpose and the Ganja removed to the Provincial Depôt in the Government Central Distillery buildings, Bangalore, or such other place as may be ordered by the Excise Commissioner under a transport permit granted by the aforesaid Chief Excise Officer.

(6) On the arrival of the Ganja at the place referred to in clause (5) above, it shall be carefully garbled and picked so as to be free from powder, seed and stalk and fit for issue and shall then be duly weighed by the Excise Officer concerned, and reported upon to the Excise Commissioner for payment of its value in the usual course.

(7) Should the contractor harvest any portion of the Ganja hemp crop without permission, or fail to remove the crop from the field to the place of manufacture, or to deliver the whole Ganja manufactured therefrom, at the Government Central Distillery, Bangalore, or such other place as may be ordered by the Excise Commissioner within the time specified in the transport permit, or manufacture any intoxicating drugs therefrom in a place other than that specified in his license, or disregard the instructions issued by Excise Officers for the purpose of safeguarding the revenue, the contractor shall render himself liable, at the discretion of the Excise Commissioner, to forfeit a sum not exceeding rupees fifty for every such wilful act or omission to be with-held from his deposit amount. Such forfeit under this clause shall not be held to prevent the prosecution of the contractor for any offence which may thereby have been committed against the provisions of the Excise Regulation, V of 1901, as amended from time to time or other law for the time being in force.

(8) The supply of Ganja as above should be completed by 15th April of each year, and if by that date the contractor fails to supply the requisite quantity of Ganja to Government, he will be bound to pay to Government the charges which will be incurred to import Ganja from British Territory or other foreign territory on prepayment of the duty payable for the purpose and also any loss which will be sustained by the Mysore Government in consequence of his failure to supply Ganja. Such charges and loss will be recovered from the defaulter by forfeiting to Government his deposit and by attaching and selling his other property under the rules for the recovery of Land Revenue.

P. N. PURNAIYA,
Excise Commissioner.